

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,) Case No: 2:05-cr-0100-RLH-LRL
Plaintiff,) 2:06-cr-0002-RCJ-GWF
vs.)
NELSON OSEMWENGIE,)
Defendant.)
)
O R D E R
(Motion for Self-Surrender at
Terminal Island #319)

Before the Court is Defendant Nelson Osemwengie's **Motion for Judicial Recommendation for Self-Surrender at the Federal Correctional Institution in Terminal Island** (#319, filed August 10, 2010).

The Motion must be denied. The Court has already made a recommendation that Nelson Osemwengie be permitted to serve his time at Terminal Island. But it can only make a recommendation to the Bureau of Prisons (BOP). The BOP has the ultimate and total authority to determine where he will serve. Defendant represents that a designation has not been made.

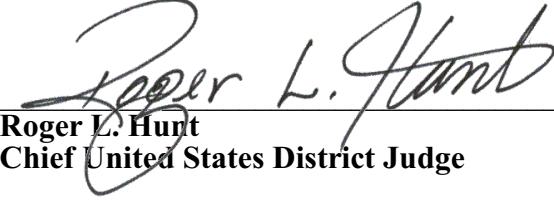
The Court also permitted Defendant Osemwengie to self-surrender (the date for the self-surrender being August 13, 2010). What Defendant appears to be trying to get the Court to do is to order that he self-surrender at Terminal Island, thus forcing the BOP's hand by the Court ordering him to surrender at Terminal Island. That the Court cannot and will not do.

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1 IT IS THEREFORE ORDERED that Defendant Nelson Osemwengie's **Motion for**
2 **Judicial Recommendation for Self-Surrender at the Federal Correctional Institution in**
3 **Terminal Island (#319)** is DENIED.

4 Dated: August 11, 2010.

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7 **Roger L. Hunt**
8 Chief United States District Judge
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